

**Tom Marcelle
Attorney-at-Law
2 E-Comm Square, 3rd Floor
Albany, New York 12207
(518) 427-1720
(518) 427-1764 - Fax**

September 13, 2006

FILED ELECTRONICALLY

Honorable Gary L. Sharpe
United States District Court Judge
United States District Court
James T. Foley U.S. Courthouse
445 Broadway
Albany, New York 12207

Re: *Price v. Albany County Board of Elections*; 06-CV-1083

Dear Judge Sharpe:

The unofficial results of the primary election in above referenced case were:

Price	10
Gray	7
Sullivan	7

The election was for two committee spots and the plaintiff-voters' absentee ballots may be determine the outcome. The County has informed me that on Monday September 18, 2006, the Board of Elections will re-canvass of the election results. I have spoken with all counsel about this matter. All parties agree and consent to keep the temporary order in place and the plaintiffs will on Tuesday September 19, 2006 inform the Court of its intentions with respect to the counting of two ballots.

Sincerely,
/s
Tom Marcelle
TM/nep